



MSPC Advisory Circular

ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF AIR PROGRAMS • MOBILE SOURCE POLLUTION CONTROL PROGRAM

A/C No. 11

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Subject: Importation of Certification Test Vehicles: Approval
of Operation on the Public Roads

A. Purpose

The purpose of this Advisory Circular is to clarify the provisions for importation of uncertified test vehicles pursuant to §12.73 (b)(5) (vi) of the Customs regulations and §85.201 of the EPA regulations (37 F.R. 2430), and to provide blanket approval for operation of certification test vehicles on the public roads to the extent necessary for transportation of certification vehicles between ports of entry and the testing laboratory at Ann Arbor, Michigan.

B. Background

Section 12.73 (b)(5)(vi) of the Customs regulations provides for the admission of vehicles or engines not covered by a certificate of conformity with Federal motor vehicle admission standards if the vehicle or engine "is being imported solely for purposes of testing, and will not be sold or operated on the public streets or highways except in accordance with 40 CFR 85.201," (the EPA regulations). No bond is required for admission of uncertified test vehicles.

Section 85.201 of the EPA regulations provides as follows:

A motor vehicle or motor vehicle engine offered for importation or imported pursuant to 19 CFR 12.73 (b)(5)(vi), solely for purposes of testing, may be operated on the public streets or highways for a period not to exceed 1 year from the date of importation if the importer or consignee receives prior written approval of such operation from the Administrator. Requests for such approval shall be in writing, and shall briefly describe the proposed testing program, including the estimated duration of such program.

The Administrator's approval is not required for the admission of test vehicles into the United States. Prior written approval is needed only if the importer wishes to operate the vehicle on the public streets or highways. In these cases, the importer must submit a written request to the Administrator, describing the proposed test program and its duration.

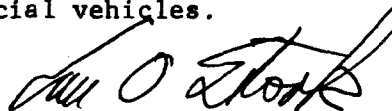
Requests for approval of operation of uncertified imported vehicles as part of a test program should be sent to the Director, Mobile Source Enforcement Division, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

C. Certification Test Vehicles

The requirement of the Administrator's approval for operation of imported test vehicles on the public roads is primarily intended to apply to programs such as road testing of uncertified vehicles under American driving conditions. Vehicles imported for EPA confirmatory certification testing present a special case.

Certification vehicles are frequently shipped to the Ann Arbor facility, but the vehicles are sometimes operated on the roads between the ports and the certification laboratory. It would be unnecessary and burdensome to require approval of operation of certification vehicles in each case where the importer wishes to have the vehicle driven for delivery to Ann Arbor or for redelivery to a port for export.

Accordingly, the Mobile Source Enforcement Division advises that blanket approval for operation of certification test vehicles is appropriate. This Advisory Circular shall constitute notice of approval of operation of vehicles, imported for EPA confirmatory certification testing, on the public roads to the extent necessary for transportation between ports of entry or export and Ann Arbor, Michigan. Upon certification, these vehicles may, at the option of the manufacturer, remain in the United States and be sold as commercial vehicles.



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